

STATEMENT OF FACTS IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT		APPLICATION NO. (court use only) <i>23CR1367</i>	PAGE <u>1</u> OF <u>5</u>	Trial Court of Massachusetts District Court Department 
The undersigned alleges the following as a <input type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.		COURT DIVISION Eastern Hampshire District Crt 205 STATE ST BELCHERTOWN, MA. 01007		
<p>Facts:</p> <p>On November 3rd., 2023 I (Ofc. Thomas Hudock) was assigned to uniform patrol duties of the west sector during the 1500–2300-hour shift.</p> <p>At approximately 1557 hours I was dispatched to the south side of the Student Union building regarding a past assault and battery. I arrived and contacted V-1 (victim 1), V-2 (victim 2/witness), W-1 (witness).</p> <p>I Initially spoke with V-1 who had been with V-2 and W-1 attending an organized event, “bring them home: Solidarity walk and installation” which represented over 200+ hostages taken during the Hamas’ October 7th attack. At the conclusion of the event, V-1 reported that a male, approximately 6'5" in height, with black curly hair, a beard, dressed in a navy-blue jacket with baseball-like pants, and sneakers approached him in an aggressive manner, calling him a “little bitch boy”, telling him to go home, and referring to him as a Zionist (commonly interpreted as a religious slur). The male then began to punch him in the face (closed fist). This was followed up with a shove and a kick to his stomach area. The male party then ripped a small Israeli flag that V-1 had been holding directly from his hands and began destroying it. The male party then walked into the Student Union building marketplace area, located next to where the attack had happened and in view of V-1. V-1 observed him motion what appeared to be a chef’s knife towards him before stabbing the remains of the flag. V-1 observed him spit and continue to rip the flag before subsequently throwing it in a trash receptacle inside the marketplace. V-1 reports that the male party continued to stand inside the building and flip them off until the arrival of police, at which time V-1 saw the male leave the area.</p>				
(Use additional sheets if necessary)				
PRINTED NAME Hudock, Thomas	SIGNATURE X	I AM A: <input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS	DATE SIGNED	
ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY				
REMARKS	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE X			DATE SIGNED

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<p>V-1 did not have any marks or bruising on his person at the time of report and declined request for medical attention.</p> <p>I then spoke with both V-2 and W-1 who reported witnessing the event and corroborated V-1's statement. During this time V-2 indicated that V-2 had attempted to break up the attack, at which time she was struck in the hand by the male's foot.</p> <p>The group was able to provide a photograph of the male (attached to his report). The male was seen in the photograph wearing a grey/blue jacket with a dark undershirt, a beard, and black curly hair. An area search of the building was conducted by Sgt. Green and I, however, we were unable to immediately locate the male suspect.</p> <p>I requested V-1, V-2, and W-1 come to the UMass-Amherst Police Department in order to file an official statement.</p> <p>Once at the station V-1 recorded an official statement of his prior report with no deviations to his verbal report.</p> <p>V-2 reported having seen the male acting aggressively (cruel gestures, flipping the bird) through the entirety of an earlier event, referenced as the "kidnapped flyers". The event was several hours in length and had taken place prior to the attack. V-2 references at one point where V-2 observed this male party being spoken to by police officers, one known to V-2 as Ofc. Gerald Perkins and his K9 partner, Alec. V-2 reports hearing the officer call him "Efe" at which time the male's face dropped, and he stated "what". The male party then turned and ran away, telling the officer he didn't like his hat.</p> <p>Concluding the event, V-2 states that V-1 waved a small Israeli flag he'd gotten from the event which provoked the male to come charging outside towards V-1. V-2 reports the male party began shouting as soon as he exited the</p>					
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<p>building, "you think you're so tough waving a flag, Zionist Shitbag, let's see how tough you are when I'm out here!"</p> <p>I'll get you; you'll see what happens!"</p> <p>V-2 reports the male then snatching the small flag from V-1's hand and pushing V-1. The male then proceeded to press up closer before punching, shoving, and kicking V-1. V-2 then reports pushing their way in between V-1 and the male in an attempt to break up the fight. V-2 told the male to "go away" and that "this fight isn't worth it."</p> <p>It was at this time that the male "launched a series of further assaults on V-1, including punching, kicking, and shoving." "When he kicked, he raised his full leg and lashed out as hard as he could, catching me in the hand, as I was trying to keep V-1 safe". This resulted in V-2 sustaining a small bruise to the finger (no bruising at time of statement). V-2 reports that at one point V-2 was shoved hard by the male causing V-2 to stumble back and strike a pop-up sandwich sign in the area. V-2 indicates that the attack was no more than three minutes in length. V-2 then corroborates V-1's account of the flag destruction.</p> <p>W-1 then provided official statement. W-1 recollects being at the event for two hours prior and observing the male speak with officers, before telling the officer that he did not like his hat. W-1 reports that the male had made several motions as "if outlining a big belly, which is a reference to the fat greedy Jew stereotype." W-1 reports that after some time the male came out and confronted them, stating "you aren't allowed to eat pork, so why are you walking around like fat fucking pigs." W-1 reports that the male then insulted V-1's physical appearance, attempting to aggravate V-1. W-1 continues, stating that the male came out when he saw V-1's flag and began to attack V-1. W-1 states "he ripped the flag out of V-1's hand, and punched and kicked V-1 in the face and chest</p>				
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<p>while yelling things like "little bitch-boy, fuck you and your state". V-1 then corroborates the statements made by both V-1 and V-2 regarding the destruction of the Israeli flag.</p> <p>In conclusion to the statements, V-2 provided me with a video V-2 had received (attached to this report) which showed a full body image of the male suspect, at which time we now learned that the male suspect also had on white pants with vertical striping and grey and black sneakers.</p> <p>Investigation into camera footage showed no readily available camera footage documenting the incident. Officer Thomann attempted to retrieve the damaged flag, which was unable to be located in the trash receptacle.</p> <p>I then spoke with Lt. White who was with officer Gerald Perkins when he spoke to Efe earlier in the day Lt. White was able to identify the male suspect as Efe Ercelik, an individual known to him (see attached supplemental narrative of Lt. White)</p> <p>In summary:</p> <p>Efe Ercelik, seen prior as displaying cruel gestures and referencing derogatory Jewish stereotypes, committed an A&B with the intent to intimidate V-1 because of his religion when he yelled religious slurs (Zionist) during the battering of V-1 and subsequently destroying his personal Israeli flag. V-1 is of Jewish religion (M.G.L. – 265/39 – A&B for the purpose of intimidation)</p> <p>Efe Ercelik committed an A&B by means of a dangerous weapon (shod foot/sneaker) by intentionally kicking and striking V-1 in the stomach area. (M.G.L. 265/15A – A&B DW)</p> <p>Efe Ercelik committed an A&B by means of a dangerous weapon (shod foot/sneaker) When he struck V-2 in the hand</p>				
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<p>while delivering a kick, causing injury to the finger whilst V-2 attempted to intervene in the battering of V-1.</p> <p>(M.G.L. 265/15A – A&B DW)</p> <p>Efe Ercelik committed an A&B by shoving V-2, causing V-2 to stumble back and strike a sign which was placed on the sidewalk. (M.G.L. 265/13A – A&B)</p> <p>Efe Ercelik took and carried away personal property (flag) from the immediate control of V-1 with the intent to permanently deprive V-1 of said property. (M.G.L. 266/25 -Larceny from the person)</p> <p>Efe Ercelik maliciously destroyed V-1 property (flag) by breaking, stabbing, and spitting on his flag (M.G.L. 266/126A – Destruction of property)</p> <p>Efe Ercelik purposefully caused public inconvenience and alarm with conduct involving force and violence when he battered V-1 and V-2 on land open to and surrounded by members of the public. (M.G.L. 272/53 – Disorderly conduct)</p> <p> </p> <p style="text-align: right;">(Use additional sheets if necessary)</p>				
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